

**U.S. Department of the Interior  
Bureau of Land Management  
Kremmling Field Office  
P.O. Box 68  
Kremmling, CO 80459**

## **CATEGORICAL EXCLUSION**

NUMBER: CO-120-2007-08-CE

PROJECT NAME: Transfer of BLM livestock grazing lease # 051714 with grazing preference on Allotment # 07030 (Butte Ind) from Butte Land and Cattle to Headwaters Ranch LLC.

LEGAL DESCRIPTION: BLM allotment # 07030 (Butte Ind)

T8NR82W Sec 12, 13, 24  
T8NR81W Sec 18, 19

APPLICANT: Richard MacCleod Headwaters Ranch LLC

DESCRIPTION OF PROPOSED ACTION: The Proposed Action would transfer the base property and livestock grazing preference on allotment # 07030 (Butte Ind) from Butte Land and Cattle CO to Headwaters Ranch LLC (see Attachment #1 for project map).

Livestock grazing permit # 0502005 authorizes a grazing preference of 116 Animal Unit Months (AUMs) on allotment # 07030 (Butte Ind) as follows:

<b>Allotment</b>	<b>Active AUMs*</b>	<b>Suspended AUMs</b>	<b>Total AUMs</b>
07030 (Butte Ind)	118	0	118

\* AUM = animal unit month = the amount of forage needed to support a cow and her calf for one month.

Livestock grazing associated with Permit # 0502005 would adhere to the following permit:

<b>Allotment</b>	<b>Kind of Livestock</b>	<b>Number of Livestock</b>	<b>Begin Grazing Period</b>	<b>End Grazing Period</b>	<b>% Public Land*</b>	<b>Type of Use</b>	<b>AUMs</b>
07030 Butte Ind	Cattle	118	06/01	6/30	100	Active	116

\*% Public Land is the percentage of forage within the public land (BLM) portion of the allotment

No changes would be made to the amount of authorized livestock grazing preference as a result of this transfer.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: II, B, 4, Livestock Grazing Management pages 6-8

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 6, Appendix 5.4, Number: (D) (1) “*Approval of Transfer Grazing Preference.*” None of the following extraordinary circumstances in 516 DM 2, Appendix 2, apply.

Extraordinary Circumstances	Yes	No
2.1 Have significant impacts on public health or safety		X
2.2 Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		X
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].		X
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
2.7 Have significant impacts on properties listed, or eligible for listing, on the National Register of historic Places as determined by either the bureau or office.		X
2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X
2.9 Violate a Federal Law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive		X

Order 13007).		
2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		X

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Review Completed
Paula Belcher	Hydrologist	Soil, Water, Air, and Riparian Resources	2/12/07
Frank Rupp	Archeologist	Cultural and Native American Religious Concerns	1/24/07
Megan McGuire	Wildlife Biologist	T&E	1/29/07
Joe Stout	P&EC	NEPA Compliance	1/24/07
Peter Torma	Rangeland Management Specialist	Range	1/29/07

REMARKS:

Cultural Resources and Native American Religious Concerns: Since there would be little to no ground disturbance, there would be no impacts to cultural resources or Native American Religious Concerns.

Threatened and Endangered Species: The proposed transfer would not affect any federally listed species.

COMPLIANCE PLAN: Compliance with the livestock grazing lease and its terms and conditions would be accomplished through the Kremmling Field Office (KFO) Range Management Program. Livestock grazing would be monitored by the Range Staff and other BLM personnel, as appropriate, to ensure compliance. The KFO Range Management Program would be used to schedule periodic utilization checks, collect trend data, and evaluate allotment condition. Changes would be made to the grazing lease, based on monitoring, when changes are determined to be necessary to protect public land health.

NAME OF PREPARER: Peter Torma

NAME OF ENVIRONMENTAL COORDINATOR: Joe Stout

DATE: 1/24/07

ATTATCHMENTS:

- 1). Allotment Map
- 2) Grazing Permit

DECISION AND RATIONALE: I have reviewed this CER and have decided to implement the proposed action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an extraordinary circumstance and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Peter McFadden

DATE SIGNED: 2/28/07